

1 HONORABLE MARSHA J. PECHMAN  
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10 UNITED STATES DISTRICT COURT  
11 FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE  
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14 NORTHSHORE SHEET METAL, INC.,  
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16 Plaintiff,  
17 v.  
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19 SHEET METAL WORKERS  
20 INTERNATIONAL ASSOCIATION,  
21 LOCAL 66,  
22  
23 Defendant.  
24

25 No. 2:15-cv-01349 MJP

STIPULATED MOTION TO CONTINUE  
TRIAL DATE AND AMEND CASE  
SCHEDULE

Note on Motion Calendar:  
February 5, 2016

17 **STIPULATED MOTION**  
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19 The parties jointly stipulate and move this Court for an order granting an approximate  
20 sixty (60) day continuance of the trial date and related, unexpired case schedule deadlines. The  
21 sixty (60) day continuance of the trial date and related case schedule deadlines is necessary  
22 because until Northshore's Protective Order was granted on January 27, 2016, the discovery  
23 process was stalled. (Burnham Decl. ¶ 3). Both parties were awaiting the decision from  
24 Honorable Marsha J. Pechman before issuing and/or producing discovery responses to ensure  
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STIPULATED MOTION TO CONTINUE  
TRIAL DATE AND AMEND CASE  
SCHEDULE - 2:15-CV-01349 MJP - 1

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1 compliance with Judge Pechman's Order. Once Judge Pechman granted Plaintiff's Motion for a  
 2 Protective Order, discovery recommenced. (Burnham Decl. ¶ 4).

3 The Protective Order adds an additional step to the discovery process, necessitating a  
 4 request to amend the case schedule. Pursuant to the Protective Order, each time a discovery  
 5 production is made to Local 66, Northshore's counsel will review the documents and/or  
 6 information and note what is "Confidential" and "Attorney Eyes Only." After Northshore's  
 7 counsel makes this assessment, the documents can then be analyzed and disclosed (if permitted)  
 8 by Local 66's counsel. If Local 66 receives documents from a non-party, however, they must  
 9 wait fifteen (15) days before disclosing the documents or information. This procedure adds an  
 10 additional step and additional time to the discovery process to ensure "Confidential" and  
 11 "Attorney Eyes Only" documents and/or information are protected from unauthorized disclosure.  
 12 The parties therefore request additional time to fully conduct discovery, while fully complying  
 13 with the Protective Order.

15 Furthermore, the expert witness disclosure deadline is fast-approaching on March 28,  
 16 2016. In order to identify which expert witnesses will be needed in this matter, the parties  
 17 request additional time to conduct discovery. At this point, the parties have not been able to  
 18 obtain enough information and/or documentation to identify what type of experts they will retain,  
 19 let alone which expert they will retain. The parties therefore respectfully request the opportunity  
 20 to gather enough information to identify which expert(s) will be necessary in this litigation.

22 Finally, the parties are still engaging in negotiations for a collective bargaining agreement  
 23 and Local 66's strike is ongoing. (Burnham Decl. ¶¶ 5-6). There is potential for new facts to  
 24 arise in this matter that will have a direct impact on the remainder of this litigation. The parties  
 25 request a continuance of the trial date and unexpired case schedule deadlines to have an

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 TRIAL DATE AND AMEND CASE  
 SCHEDULE - 2:15-CV-01349 MJP - 2

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1 opportunity to discover all relevant facts, including potential future facts that may have bearing  
 2 on this case.

3 The parties thus propose the following revised case schedule:

JURY TRIAL DATE	January 2, 2017
Reports from expert witness under FRCP 26(a)(2) due	May 30, 2016
All motions related to discovery must be filed by and noted on the motion calendar on third Friday thereafter (see CR7(d))	June 27, 2016
Discovery completed by	July 27, 2016
All dispositive motions must be filed by and noted on the motion calendar on the fourth Friday thereafter (see CR7(d))	August 29, 2016
All motions in limine must be filed by and noted on the motion calendar no earlier than the third Friday thereafter and no later than the Friday before the pretrial conference	November 21, 2016
Agreed pretrial order due	December 14, 2016
Trial briefs, proposed voir dire questions, and proposed jury instructions	December 14, 2016
Pretrial conference	December 16, 2016 at 2:30PM

1 DATED this 5<sup>th</sup> day of February, 2016.  
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27 Attorneys for Defendant  
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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of February, 2016, I filed the foregoing

**STIPULATED MOTION TO CONTINUE TRIAL DATE AND AMEND CASE**

**SCHEDULE** with the Clerk of the Court using the CM/ECF system which will send notice of such filing to the following:

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Attorneys for Defendant

**CERTIFICATE OF SERVICE  
2:15-CV-01349 MJP - 1**

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